IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1061 OF 2007

Shamrao Appa Panhalkar ..Petitioner
Vs.
The State of Maharashtra ..Respondent

Smt.A.N.Pathan, Advocate appointed for the Petitioner
Mr.A.R.Patil,A.P.P. for the Respondent.

CORAM :- DR.S.RADHAKRISHNAN &
SMT.R.S.DALVI,JJ.
DATE : 16TH JULY,2007

P.C.

. Heard the learned Counsel for the Petitioner and the learned A.P.P.for the State. By this Application, the Petitioner is seeking furlough leave. We have perused the affidavit-in-reply filed on behalf of the Respondent. In paragraph No.4, it is categorically stated that when the Petitioner was granted parole leave on 5th January,1992, he had not surrendered in time and thereby he had overstayed by 815 days. Subsequently, in the year 1996 also, he had been granted parole leave for 7 days, however he did not surrender in time and was arrested by Police on 27th July,2005 i.e. after lapse of 10 years to be exact 3855 days. With this background, the Deputy Inspector of Prison, Pune had categorically refused the permission for grant of such leave. We do not find anything erroneous or illegal in the said order.

Hence, the Petition stands dismissed.

(SMT.R.S.DALVI,J.) **(DR.S.RADHAKRISHNAN,J.)**